

Serial No.: 10/615,845
Art Unit: 2611
Inventor: Sterling SMITH

Attorney's Docket No.: MSS0003-US
Page 6

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-15 were pending in this application. In this Amendment, claims 1, 5, 6, 7, 14 and 15 have been amended. Accordingly, upon entry of this Amendment, claims 1-15 will be pending.

In the Office Action mailed February 21, 2007, the previously indicated allowability of claims 1-15 was withdrawn. Claims 5 and 14 were objected to because of matters of form. Claims 1-4 and 7-13 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 5,825,253 to Mathe et al. ("Mathe"). Claims 1-5 and 7-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,965,531 to Riley ("Riley") in view of Mathe. Claims 6 and 15 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims.

Objection To Claims 6 And 15

The Examiner is thanked for the indication of allowable subject matter. In this Amendment, claims 6 and 15 have been amended in accordance with the Examiner's suggestion. Accordingly, claims 6 and 15 should be allowable upon entry of this Amendment.

Objection To Claims 5 And 14

Claims 5 and 14 have been amended to correct formal errors pointed out by the Examiner and to conform to respective amended claims 1 and 7 (see discussion below).

Rejection Of Claims 1-4 And 7-13 Under 35 U.S.C. § 102(b)

The rejection of claims 1-4 and 7-13 is respectfully traversed for the reasons set forth below. Notably, as presently amended, claims 1-4 and 7-13 each include features that are not disclosed or inherent in the teachings of Mathe. For example, claim 1 has been amended to recite a frequency synthesizer comprising a means for adjusting a period control word in response to an output clock, *wherein said period control word is within a period range with reference to a period nominal* (emphasis added to indicate language inserted in the present Amendment). Amended claim 7 recites a similar feature. Because Mathe fails to teach or suggest this feature, claims 1 and 7 are patentable over Mathe.

Applicants therefore respectfully request that the rejection of claims 1 and 7 under 35 U.S.C. § 102 (b) be withdrawn. Dependent claims 2-4 and 8-13 each include by reference all the limitations of respective base claims 1 and 7. Accordingly, Mathe fails to anticipate claims 2-4 and 8-13 at least for the reasons stated above with respect to claims 1 and 7. Applicants therefore respectfully request that the rejection of claims 2-4 and 8-13 under 35 U.S.C. § 102 (b) also be withdrawn.

Rejection Of Claims 1-5 And 7-14 Under 35 U.S.C. § 103(a)

The rejection of claims 1-5 and 7-14 under 35 U.S.C. § 103(a) is respectfully traversed for the reasons set forth below. As noted above, claims 1 and 7 have been amended to recite a frequency synthesizer comprising a means for adjusting a period control word in response to an output clock, *wherein said period control word is within a period range with reference to a*

Serial No.: 10/615,845
Art Unit: 2611
Inventor: Sterling SMITH

Attorney's Docket No.: MSS0003-US
Page 8

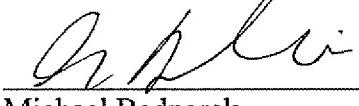
period nominal. Like Mathe, Riley fails to teach or suggest this feature. Accordingly, at least for this reason, the combination of Riley and Mathe fails to render claims 1 and 7 obvious.

Applicants therefore respectfully request that the rejection of claims 1 and 7 under 35 U.S.C. § 102 (b) be withdrawn. Because claims 2-5 and 8-14 depend from respective base claims 1 and 7, claims 2-5 and 8-14 include all the limitations of their respective base claims and are therefore patentable over Riley in view of Mathe, at least for the reasons that apply to claims 1 and 7. Applicants therefore respectfully request that the rejection of claims 2-5 and 8-14 under 35 U.S.C. § 102 (b) also be withdrawn.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

PAUL, HASTINGS, JANOFSKY & WALKER LLP
875 15th Street, N.W.
Washington, D.C. 20005
Tel: 202/551-1700

Date: May 17, 2007
18

Respectfully submitted,
By:  34,542
Michael Bednarek
Registration No. 32,329

MB/SPA/ggb

Customer No. 36183